

A PRETTY STORY SPOILED.

HOPE'S DEFERRED—FRENCH SPOILATIONS CLAIMS.

Which Claims Will Be Subjected
While on the Way to the Treasury
for Payment.

[illegible]

court upon the law and the facts, and, thereafter, each case will be exposed to the test of the law. The delay in the judicial process is not the result of the numerous delays incident to legislation.

Misunderstanding of the status of the French spoliation claims upon the question is possessed by so few people—that an accurate statement of it is in the nature of a "fresh news" at this time. Such explanatory statement is afforded in the important, enlightening and constructive discussion derived a few days ago by the court's claims.

The first concern brought to the attention of the court was upon the question of jurisdiction. The court was informed by the government's attorney, who stoutly contended that the United States is not liable for these claims. Upon a test case the United

The act sending the claims to the court while the third that has passed both houses of Congress.

President Polk, another by President Pierce while this, the third, was signed by President Arthur.

Whatever the rights of the claimants, they are without remedy other than that which Congress may have seen fit to give them; and

limited by the terms of the remedial statute. The force and effect of the act, by virtue of which the claimants appear at this bar as defendants, is that the act, in effect, has raised the threshold of the discussion. The act authorizes the "citizens of the United States or their legal representatives," having "valid claims against the United States," to sue the United States arising out of illegal captures, detentions, seizures, condemnations, and confiscations, prior to the ratification of the Convention of 1800, and to recover hereunder the amount of the United States' liability, as hereinafter ascertained (see, e.g., 21 U.S.C. § 231). This court must examine and determine the validity and amount of the claims, and the United States' liability, and, if owned by an assignee, the certain

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each December the facts found by us and our conclusions, which are to be taken, both as to the merits of the cases and as to the propriety of awarding compensation, upon either party, the claimants or the government.

So peculiar a jurisdiction was probably never before conferred upon a strictly judicial tribunal. The rights of the claimants, if any exist, arise from the acts of our political superiors, and not from the protection afforded by the laws of the nation. For such rights there can be no remedy other than that granted by the government itself. It is, therefore, not directed to transmit to the judiciary, under any restrictions, the examination of the claims, but to make the final decision reached in this forum shall not be

reserved to them an appeal, not in the regular line of judicial procedure to the Supreme Court of the United States, but back again to the body from which alone any remedy can come to the citizen for wrongs done him by his government.

The reason for this peculiar grant of remedy is found in the nature of the claims which spring from international controversies of the gravest character intimately entwined with the history of our struggle for independence.

responsibility which will be thrown upon the government should the claims be found to exist. The claims are obligations due from the United States to its citizens, and the government also owes the claims to the public. The claims are enforceable except by the consent of Congress, and the Congress can affix to the consent such condition as in their wisdom seems just and for the best interests of the public. The remedy now granted is an extraordinary and advisory report by the judiciary, a report which is not a part of the legislative branch of the government.

to the usual judicial expression in its form as supporting authorities as are the cases before us unlike those ordinarily submitted to a tribunal of the law. We are, however, for the moment invested with some of the powers a

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able except by the consent of the sovereign people in this country the legislature—as whose substitute we act to the limited extent presently enacted. We would not have been able to do this. The result which we have reached is supported by resolutions passed in each of the thirteen original states, by twenty-four reports made to the Senate by its committees, by twenty similar reports made to the House Representatives, by the fact that while the Senate has passed no amendments, the House has passed two to the House, no amendments.

publication of the correspondence in 1829, by the further facts that the Senate has passed eight bills in favor of these claimants, and the House has passed three of these, of which one is the present law, the other two having been vetoed, one by President Polk, substantially

we have considered very fully in this opinion and with which, after the most careful and painstaking consideration, we cannot agree.

Stealing Dynamite Cartridges.
Daniel Mumford, Charles Lincoln, Gold

small colored boys, were arraigned in the police court yesterday morning charged with stealing dynamite cartridges from the La Brea Heights Water Supply Company. The cases were continued until Wednesday.

Bouquet Thieves Arrested.
The police yesterday arrested Morris Lloyd, a young white man, and Wm. Murphree, for stealing bouquets of flowers at the high school commencement Wednesday.

Edward was charged for the murder of
guilty ones.